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The rule of law at the national and international levels

Report of the Sixth Committee

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I. Introduction

1. The item entitled "The rule of law at the national and international levels" was included in the provisional agenda of the sixty-first session of the General Assembly at the request of Liechtenstein and Mexico.

2. At its 2nd plenary meeting, on 13 September 2006, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 6th, 7th, 20th and 22nd meetings, on 16 and 17 October and on 6 and 16 November 2006. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/61/SR.6, 7, 20 and 22).

4. For its consideration of the item, the Committee had before it a letter dated 11 May 2006 from the Permanent Representatives of Liechtenstein and Mexico to the United Nations addressed to the Secretary-General (A/61/142).

II. Consideration of draft resolution A/C.6/61/L.18

5. At the 22nd meeting, on 16 November, the Chairman, on behalf of the Bureau, introduced a draft resolution entitled "The rule of law at the national and international levels" (A/C.6/61/L.18) and orally revised it by inserting, in operative paragraph 2 after the words "national and international levels", the words "for submission at its sixty-third session,".

6. At the same meeting, the Secretary of the Committee made a statement regarding the financial implications of the draft resolution (see A/C.6/61/SR.22).

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7. Also at the same meeting, the Committee adopted draft resolution A/C.6/61/L.18, as orally revised, without a vote (see para. 9).

8. After the adoption of the draft resolution, the representatives of the Syrian Arab Republic and Japan made statements in explanation of position (see A/C.6/61/SR.22).

III. Recommendation of the Sixth Committee

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

The rule of law at the national and international levels

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations and international law, which are indispensable foundations of a more peaceful, prosperous and just world, and reiterating its determination to foster strict respect for them and to establish a just and lasting peace all over the world,

Reaffirming also that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations,

Reaffirming further the need for universal adherence to and implementation of the rule of law at both the national and international levels and its solemn commitment to an international order based on the rule of law and international law, which together with the principles of justice, is essential for peaceful coexistence and cooperation among States,

Convinced that the advancement of the rule of law at the national and international levels is essential for the realization of sustained economic growth, sustainable development, the eradication of poverty and hunger and the protection of all human rights and fundamental freedoms, and acknowledging that collective security depends on effective cooperation, in accordance with the Charter and international law, against transnational threats,

Reaffirming the duty of all States to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes and principles of the United Nations and to settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered, and calling upon States that have not yet done so to consider accepting the jurisdiction of the International Court of Justice in accordance with its Statute,

Convinced that the promotion of and respect for the rule of law at the national and international levels, as well as justice and good governance, should guide the activities of the United Nations and of its Member States,

1. *Requests* the Secretary-General to seek the views of Member States on matters pertaining to the issues addressed in the present resolution and to submit a report thereon at its sixty-second session;

2. *Also requests* the Secretary-General to prepare an inventory of the current activities of the various organs, bodies, offices, departments, funds and programmes within the United Nations system devoted to the promotion of the rule of law at the national and international levels for submission at its sixty-third session, and to submit an interim report thereon to the General Assembly for its consideration at its sixty-second session;

3. *Further requests* the Secretary-General, after having sought the views of Member States, to prepare and submit, at its sixty-third session, a report identifying ways and means for strengthening and coordinating the activities listed in the inventory to be prepared pursuant to paragraph 2 above, with special regard to the effectiveness of assistance that may be requested by States in building capacity for the promotion of the rule of law at the national and international levels;

4. *Urges* the Secretary-General, as a matter of priority, to submit the report on the establishment of a rule of law assistance unit within the Secretariat, in conformity with paragraph 134 (e) of the 2005 World Summit Outcome;[1]

5. *Decides* to include in the provisional agenda of its sixty-second session the item entitled "The rule of law at the national and international levels", and recommends that, as from the sixty-second session and after consultations among Member States, the Sixth Committee annually choose one or two sub-topics to facilitate a focused discussion for the subsequent session, without prejudice to the consideration of the item as a whole.

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[1] See resolution 60/1.